Why The House Un-American Committee Is Opening Up On Broadway, Page 2

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Brownell as Well as Talbott Ought to be Fired

Though the *Weekly* possesses no special pipeline into the White House, it is our belief that Harold E. Talbott will be fired by Eisenhower as Secretary for Air. The revelation that Talbott used his official position to drum up private business will be no surprise to our readers. In our Vol. I, No. 3, January 31, 1953, two and a half years ago, we retold a story conspicuously ignored at the time by most of the press: the story of the part played by Talbott in the most notorious scandal of World War I—"the flying coffins" investigated by Charles Evans Hughes. What Hughes noted about Talbott and his aviation associates then applies squarely to his conduct now: "The absence of proper appreciation of the obvious impropriety of transactions by government officials and agents of firms or corporations in which they are interested."

The *Weekly* said of Talbott at the time of his appointment, "The man now picked by the Republicans as Air Secretary in preparing for World War III was regarded by them thirty years ago as a horrid example of what went on under the Democrats in World War I." Talbott's Dayton Wright Airplane Company was severely criticized in three investigations after World War I, but this time the Democrats as well as the Republicans seemed anxious to bring their inquiry to a close quickly. The same Senate committee that spent most of two years chasing one poor Army dentist was content to end the Talbott inquiry after one week. It was as if both parties were afraid to look too closely lest they learn too much. The aviation program Talbott supervised has been one of the cushiest financial operations in history; the contracts have never been closely examined. Talbott and Mulligan were just small-time moochers picking up chicken feed along the periphery.

It has been amusing to see those ruthless investigators, Mundt and McCarthy, so anxiously trying to shield Talbott from "unfair" newspaper coverage. Less buffoonish, more serious, are the revelations as to the Attorney General. Mr. Brownell admits that John A. Johnson, general counsel of the Department of the Air Force, is "technically correct" in saying that the Attorney General did not express disagreement when shown a proposed legal opinion declaring that RCA could deal with Talbott's private management company without violating the "conflict of interest" statute. At a social function a few days later, however, the Attorney General did tell Talbott it would be "against our policy"—but only to give a legal opinion to a private concern!

Mr. Brownell did not object to having the Air Secretary solicit private business from a defense contractor. He knew eight months ago at least what was going on but made no effort to stop it. The Attorney General is the one the President ought to fire. The G.O.P.'s chief crusader for high standards in government turns out to be a man who shut his eyes all too easily to unethical practices.

From The Summit to Peking — A Higher and Harder Climb

The "ambassadorial level" meeting with the Red Chinese opening in Geneva indicates that the meeting at the summit was not quite the goldfish bowl it was supposed to be. The right wingers here fear that without explicit commitments much else may quietly have been allowed to "arrange itself" at the Big Four meeting. The results are not to be measured by the formal directives and communique with which it ended nor by Eisenhower's report when he returned. What is taking place must be one of the most delicate political operations of all time: the slow disengagement of two hostile blocs abroad, and the deft liberation of the American government at home from its self-produced and self-imprisoning cold war hysteria. In all this, Senator George continues to play a Toscanini's role; his wand calls the new score into being. Under his cautious guiding hand a Republican President and a Democratic Congress are moving toward peace.

The picture is confusing (1) because the Administration must pretend that nothing is happening and (2) because both East and West are bargaining hard as negotiations begin. The prime purpose of the most sensational move at Geneva—Eisenhower's pie-in-the-sky proposal for mutual surveillance of U. S. and Soviet skies—was to blanket Bulganin's proposal earlier that same day for an end to all atomic tests. This, which would have made headlines, was lost to sight as Eisenhower set off his fire-cracker. The British government does not want to end tests until it has an H-bomb, too; American military and budgetary policy is wedded to nuclear weapons; Washington believes it can make a better deal with Moscow by maintaining the fear of an H-bomb holocaust. So the government's smart public relations men do their best to divert attention from serious consideration of atomic disarmament.

Eisenhower is credited here with saving the Geneva conference from a last minute deadlock by agreeing to link German reunification with European security, and the hint in his radio report Monday night about the need for "adjustments" if peace is to be attained has spread gloom on the right. The German problem has been pushed into a secondary role; all Adenauer will find at Moscow is a readiness to treat him on a plane of equality with the East German puppet regime. If Moscow can restrain Peking long enough to get Eisenhower off the China Lobby hook, there will be an easing of trade restrictions. And if Peking is patient, the Chiang Kai-shek regime will wither on the vine. But whether a fresh revolutionary regime is capable of that kind of patience remains to be seen. The difficulty is that Moscow is a "satisfied" revolutionary power while China is still too unsure of itself not to be greatly concerned with "face." Perhaps this is why Senator George is so insistent that Dulles meet with Chou En-lai.

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Why the House Un-Americans Have Scheduled Hearings in The Entertainment Industry

The First Rank-and-File Trade Union Revolt Against the Witch Hunt

For the first time in the postwar period there has been a rank-and-file trade union revolt against the witch hunt, and for the first time a trade union leadership has joined hands with the House Un-American Activities Committee in an effort to crush the rebels. The union is the American Federation of Television and Radio Artists (AFTRA). When the House Committee goes to New York on August 15 for hearings in the entertainment industry, its objective will be to halt the increasingly successful defiance of the blacklist not only in the theatre but on the radio and TV.

The coming battle with the House committee will be a major engagement in the fight to restore freedom in America for artists and intellectuals of all kinds. Much will depend again on the rank-and-file of AFTRA and its reaction to a sudden referendum being staged by the union's leadership. The National Board on July 21 sent out a proposed new "rule" of membership which would make possible the expulsion of any member who "fails or refuses to answer" when asked by a Congressional committee whether he "is or ever has been a member of the Communist Party."

The union leadership would have its members agree in advance that any effort to plead fundamental rights, whether under the First, Fifth or Sixth amendments, might cost them their livelihood. While the Newspaper Guild is preparing to fight discharge of newspapermen for pleading the Fifth, AFTRA asks its members in this referendum to give up their rights in advance, irrespective of the facts, the circumstances or the legality of any future Congressional committee hearing.

Look Who's Defending The Right to Earn A Living

"I don't know why he should be denied a livelihood."

—McCarthy defending Harold E. Talbott.

An Honest Buck on Holy War

Back of this referendum is the effort to strike back at the rank-and-file for the overwhelming defeat of the leadership on the issue of AWARE, Inc. AWARE, Inc., is another of the Liz Dilling "Red Network" type of organizations which sells a special service to subscribers "exposing" Communist front linkages and associations. AWARE, Inc., has a directorship which interlocks* with that of AFTRA and with private "consultants" who sell dossiers and advise actors on how they may "clear" themselves. This type of business represents the adaptation of free enterprise methods to ideological inquisition, combining the spiritual gratification of holy war with the making of an honest buck.

The striking thing about the AFTRA rank-and-file revolt is that these were the same union members who last December overwhelmingly reelected a right-of-center slate of union officers. An AWARE bulletin on the defeated opposition, vividly illustrating the techniques of the blacklist which have kept some 450 actors from one show or another in the past five years, led to a series of increasingly larger private meetings of protest.** These culminated in a resolution condemning AWARE for using "the now familiar smear methods of . . . innuendo from alleged 'public records.'" When this resolution was approved at a tumultuous AFTRA meeting in May by a vote of 197 to 149, the union leadership called a referendum only to be defeated again—this time by 982 votes to 514, or almost two to one. The Association of Catholic Trade Unions at its tenth national convention a few days later also condemned AWARE.

The unexpected revolt was set off by the AWARE bulletin "No. 12." This said the fact that there had been an independent slate in the election with "Red Channel" type linkages showed the need for "a full-fledged official investigation of the entertainment industry in New York." Chairman Walter of the House Committee, surprisingly liberal last year, seems to be suffering badly from the heat this year. He announced such an investigation the week after the AWARE referendum results were made public. Some two dozen subpoenas have been served. The National Board of AFTRA followed this up within a few days by launching a new referendum. The ballots must be in August 8, just a week before the hearings open. Its defeat would be a Bronx cheer for the Congressional witch hunters on the eve of their arrival in New York.

Self-Appointed Executioner Explains

"Mr. [Godfrey P.] Schmidt [associate professor of constitutional law at Fordham and President of AWARE, Inc.] said that no perfect means of identifying Communists was available. 'With the best of goodwill we're going to make mistakes,' he said. 'But we cannot let fear of making mistakes freeze us into a timid inactivity.' He noted that . . . the courts may convict or even electrocute the wrong man."

—Interview with Jack Gould, N.Y. Times, June 26

We'd like to untangle this analogy just a little bit. (1) Courts are not set up by private groups on their own initiative, nor (2) are they run by people who draw fees on the side as "consultants" for naming others as "criminals" nor (3) do they convict without trial under strict rules of proof, nor (4) do they electrocute people on suspicion and then publish a posthumous correction when it turn out (oops!) that they threw the switch on the wrong man. What kind of constitutional law does Professor Schmidt teach at Fordham—the kind Spain had during the Inquisition?

* Just as we go to press there comes news that Vincent Hayworth, TV and radio actor, one of these "interlocking directors," a member of the board of AWARE, Inc., has resigned from the national and New York boards of AFTRA after being defeated for reelection as first national vice president of AFTRA at its annual convention in Seattle last month.

** Vincent Hartnett, a director of AWARE, one of the authors of Red Channels and a "consultant" not only planted a microphone on the big February 22 meeting at the Blue Ribbon restaurant but could not resist "showing off" to Jack Gould of the New York Times by playing the tape recording to him during an interview on June 20 (See N. Y. Times theatre section June 26).

Distinguished Professional Man (Doctor of Blacklisting?) Replies to Slur

"Mr. [Vincent W.] Hartnett [one of the authors of 'Red Channels' and a director of AWARE, Inc.] said he was professionally engaged in providing advertising agencies, sponsors and occasionally a network with information regarding a performer's background, including the artist's Communist-front connections or lack of it. Mr. Hartnett said he wished to deny rumors that he charged $7.50 a head for making a report on an actor. For a first report on an actor, he said, his fee is $5. . . . For an extensive report, Mr. Hartnett said, his fee is $20."

—Jack Gould, New York Times, June 26

"Mr. Gould wrote that 'a commercial cloud was cast over the anti-communism of AWARE by the confirmation by Vincent Hartnett, a director of the organization, that he was professionally engaged in reviewing the political background of artists at the rate of $5 a head.' This argument has as much merit as the argument that a commercial cloud is cast over the American Medical Association because one of its directors happens also to be engaged in the practice of medicine."

—Hartnett's letter of protest, New York Times, July 14

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Latest Development in the "20 Years of Treason" Taylor Case

Four times, in 1947, 1952, 1953 and 1954, William Henry Taylor, one-time associate of the late Harry D. White in the U. S. Treasury, denied to grand juries that he had ever given information to Elizabeth Bentley or engaged in espionage. No indictments ever were returned, but last week a loyalty board found him guilty of the Bentley charges and recommended his dismissal from the International Monetary Fund. The verdict came after months of secret one-sided hearings in which the Board repeatedly evaded requests that it subpoena Bentley for questioning by Taylor's counsel, ex-New Deal Congressman Byron N. Scott. The accused not only had no chance to confront his accusers but was not even allowed to examine the transcript of the testimony given against him.

The board decision seemed strikingly unfair when compared with Taylor's testimony. Sample: the board declared, "Evasion by Taylor was particularly apparent when the Board attemped to determine whether or not he furnished information to unauthorized persons." But here is how Taylor "evaded":

"Q. Well, do you deny you ever gave Miss Bentley any papers?

"A. I affirmatively deny it.

"Q. Or that you gave anyone else papers to transmit to Miss Bentley?

"A. I deny it.

"Q. Did Harry White ever give you papers for delivery to anybody who was not fully authorized to receive them by virtue of the business you knew they were engaged in?

"A. No, sir, Harry White never gave me any papers to be delivered to anybody other than in a strictly business manner."

Taylor's counsel will challenge the board to submit this testimony, given under oath, to a grand jury. If this fails, he will appeal to the courts. The whole "twenty years of treason" myth is at stake in this historic case.

Lighter Note — In the Good Old Days of Dean Acheson

In the meantime those "twenty years of treason" are beginning to appear in mellower light in other quarters. Constantine Brown, the diplomatic correspondent of the *Washington Star*, who never said a good word in the past for the "old Acheson State Department" suddenly complained last Tuesday that "stringent regulations established by former Secretary of State Dean Acheson regarding the issuance of passports to individuals about whom the State Department has information of belonging to the Red conspiracy are being bypassed." The place is full of Republican cells working ever so slyly: they have not abrogated the Acheson regulations, Brown reports, "lest there be too much fuss in Congress" but discretionary powers are being used to give passports and visas to "established subversives." He concludes sourly (almost as if Tovarisch Truman were still in the White House instead of safely exiled to a kolkhoz in Independence, Missouri) that "the administration" thinks this "might serve its high purposes of creating an atmosphere of confidence among the Kremlin plotters." We recommend this as a model of objective and judicious reporting to our better schools of journalism, and expect any day now to see Brown's good friend, McCarthy, rise in the Senate and denounce those card-carrying Republicans who are undermining the foundations laid by that great American patriot, Dean Acheson. We are prepared to help by testifying that early in 1948 we saw a man who looked strangely like Scott McLeod in a closed G.O.P. meeting held underground in a Chase Bank vault.

So disguised are these passport plotters that their own beneficiaries treat them with disdain. Thus when the State Department, in the latest of its reversals, announced that William Clark could have an unrestricted passport for travel to Germany, Judge Clark only snarled and told the press he was glad the State Department had "finally come to realize that freedom of movement cannot be conditioned on, in Jefferson's famous phrase, 'coercion of opinion' . . . Americans travelling abroad do not have to carry State Department gags in their mouths." The Department earlier had told Clark he could have a passport if he promised not to criticize U. S. policy while he was in the Reich, but that—it would now seem from Brown's warnings—was only camouflage.

At this juncture with our own Iron Curtain in danger, Republicans are not the only ones who will bear watching. A Congressman A. S. J. Carnahan, a Democrat from Missouri, declared himself so impressed last week by the farm delegations reciprocally visiting Iowa and the Soviet Union, that he introduced a bill (H.R. 7575) not only to admit temporary visitors from the U.S.S.R. "and certain satellite countries" but to pay their "cost of transportation and maintenance, not to exceed $2,000" each, for visits of up to two months duration. If this generous bill passes, the least the Russians can do in return is to invite the DAR to hold its next convention in Moscow, with all expenses paid—in rubles of course.

Melvin Barnet Continues to Haunt the New York Times

On July 22 the New York Times published an exchange of letters between its publisher, Arthur Hays Sulzberger, and Patrick Murphy Malin and Osmond K. Fraenkel of the American Civil Liberties Union. Sulzberger denied that Barnet was discharged for invoking the Fifth Amendment and insisted the real reason lay in Barnet's "course of conduct culminating in his refusal to answer the committee's questions." Just what this "course of conduct" was remained unspecified but the A.C.L.U. officials hastened to inform Sulzberger that while they opposed discharges on Fifth Amendment grounds "we gather from your reply to us" that this was not the case. We are sure that Fraenkel would never be content to "gather" satisfaction from so vague—and damaging—a reply in any ordinary litigation.

The "course-of-conduct-culminating-in" formula was subjected to more astringent, if less tactful, treatment by a letter from Herbert S. Marks which the Washington Post published July 23. Marks, once counsel to David Lilienthal in TVA and later counsel for Robert Oppenheimer in that famous security case, criticized the Post for its editorial defending the Times. Marks asked the kind of questions one would have expected from the ACLU. Marks wrote:

"You say he was lacking in candor in his relationship with the newspaper prior to the Senate hearing. . . . Lack of candor is at best a loose expression. . . . What have the Newspaper Guild and Mr. Barnet to say about this construction of the facts? Did Mr. Barnet deliberately misrepresent matters to the Times? Did he fail to make disclosures to his employer that any reasonable newspaperman should be expected to make? . . . Or, innocently failing to anticipate events, did he make the mistake of neglecting to tell the Times fully of complications caused by incidents in his remote past which would not have been of interest to his employer except for the immediate pressure of a congressional investigation? . . .

"The public should not be exhorted to form an opinion on what you characterize as 'difficult issues of ethics and humanity' on the strength of vague and unsubstantiated allegations no matter who makes them. The important question for outsiders at this stage of the dispute is not whether the Times is right or the Guild is right. The important point is that the process by which the controversy is resolved in the forum of public opinion and elsewhere should not be colored by prejudgment of the case without disclosure of the facts."

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When Ivan Meets John and John Meets Ivan—and Neither Has Horns!

The Kind of Mutual Inspection Which Can Alone Assure Peace

At the San Francisco conference the Syrian foreign minister made a remark which comes to mind as one watches the Soviet farmers in Iowa and the U. S. farmers in the Soviet Union. He said that more important than the meeting at the summit was the meeting at the base.

When Communist visitors from the Ukraine are welcomed at Kiwanis club luncheons in Des Moines and capitalistic American farmers are cheered in Kharkov something has been done for peace which is more powerful than any pact or system of inspection. This is, indeed, the kind of inspection the world needs—the kind in which John looks at Ivan and Ivan looks at John and neither sees the horns propaganda had led him to expect and each says, "Gosh, he's a man, too, just like me."

Nothing is more deadly for the war spirit than the discovery that the enemy, too, is human. This is the most disarming of all disarmaments. So while we are glad to hear that Soviet leaders and American leaders may visit each other's countries soon, we hope there will be more exchange of ordinary folk. Farmers are kin the world over, but so in as genuine a sense are newspapermen and storekeepers (private or collective) and auto mechanics and welders and miners and street-car conductors. Let us tear down the evil screens on which Russians have seen Americans as lynchers and Americans have seen Russians as slave-masters and visit with our brothers.

* * *

Cheerful Box Score for Progressive Tenants

Four different courts have now refused on one ground or another to bar "subversives" from public housing. The latest —and most important decision—was by the U. S. Court of Appeals here July 21. A three man bench (Edgerton, Bazelon and Washington) refused to permit the eviction of John and Doris Rudder for refusing to sign a certificate of non-membership in organizations on the Attorney General's list.

The Court in its decision chose to be very literal minded about the Gwinn "loyalty" amendment to the Federal Housing Act. This says no dwellings constructed under it "shall be occupied by a person who is a member of an organization designated as subversive by the Attorney General." Judge Edgerton pointed out (1) that of almost 200 organizations on the Attorney General's list only 13 are designated as "subversive" (the others are "totalitarian," "Communist" or "Fascist") and (2) that the refusal to sign the certificate did not prove that the Rudders actually belonged to an organization held to be "subversive."

Under this decision, low cost housing tenants cannot be required to take loyalty "oaths" and cannot be evicted without proof that they *presently* belong to an organization designated as "subversive" by the Attorney General. Only a few weeks earlier the Supreme Court of Wisconsin went further. On June 1 in *Lawson* v. *Milwaukee Housing Authority* (70 NW 2d 605) it held the Gwinn amendment unconstitutional as an encroachment on First Amendment freedoms. The Superior Court of Los Angeles last January 19 (279 Pac. 2d 215) also refused to permit the eviction of a tenant who declined to sign a certificate like that in the Rudder case. The Illinois Supreme Court threw out a similar State housing "loyalty" act (122 NE 2d 522).

* * *

Contempt Citations In Dispute

For two weeks sponsors of the resolutions to punish Harry Sacher, Joseph Starobin and Harvey Matusow for contempt of the Senate Internal Security Committee had been unable to get unanimous consent and the bills had been "passed over" on objections from both sides of the aisle. Just before we went to press, however, the Starobin citation was called up suddenly and approved but Senator Langer blocked action temporarily when Sacher's was called up next.

One factor for the delay may have been the discovery that J. G. Sourwine, chief counsel of the Committee, gave it some poor advice. He seems to have thought that a witness who had answered certain questions elsewhere thereby waived his right to plead the Fifth amendment on them before the committee. But only recently in the *Neff* case, the Court of Appeals for the Third Circuit cited a long list of precedents to show that it was overwhelmingly decided "that a person who has waived his privilege of silence in one trial or proceeding is not estopped to assert it as to the same matter in a subsequent trial or proceeding." (206 F 2d 149).

The interrogations on which the Sacher, Starobin and Matusow contempt resolutions are based establish something of a new low in Congressional inquisition. What business of a Congressional committee is it to know who is marketing Matusow's stringless yo-yo, who loaned Starobin money to make possible the publication of his last book, "Eyewitness in Indochina," or whether Sacher attended a birthday party for his client, Alexander Bittleman, a Smith Act defendant?

At one point Sacher boldly declined to take refuge in the Fifth or First amendments but said that as a matter of "conscience" he felt it "incompatible with the dignity of the individual to make compulsory disclosure of his thoughts and his ideas and his beliefs." Our hat is off to him for the courage, dignity and quick wit with which he confronted his inquisitors.

Press Time Flash—Watch Next Week's Issue for the Victory in the Lamont, Shadowitz, Unger Contempt Cases

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